

D4-29-02

PTO/SB/30 (5/2000)

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RCE/163

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).



Express Mail No.	EL 452 482 984 US
Application Number	09/281,717
Filing Date	March 30, 1999
First Named Inventor	Baxter
Group Art Unit	1631
Examiner Name	M. Moran
Attorney Docket Number	9811-008-999

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

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2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
 - i. RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 370.00
 - ii. Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 460.00 for a 3 month extension, the request for which is being made herewith
 - iii. Other _____
- b. Check in the amount of \$____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Sunil K. Singh	Registration No. (Attorney/Agent) 45,298
For Gary S. Williams (Reg. No. 31,066)		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.



Express Mail No.: EL 452 482 984 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Baxter *et al.*

Application No.: 09/281,717

Filed: March 30, 1999

For: METHODS AND COMPOUNDS FOR
MODULATING NUCLEAR RECEPTOR
COACTIVATOR BINDING

Group Art Unit: 1631

Examiner: M. Moran

Attorney Docket No.: 9811-008-999

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REPLY UNDER 37 C.F.R. § 1.114(c) AND AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants have carefully considered the final Office Action mailed on October 25, 2001 in connection with the captioned Application and request reconsideration of the Claims in light of the amendments and remarks herein. Accompanying this Amendment are: (1) a Petition for Extension of Time, containing a provision for payment of the appropriate fee, extending the period for response by three months, to and including April 25, 2002; (2) a copy of Geistlinger *et al.*, *J. Am. Chem. Soc.* 2001, 123 1525-1526 attached as Appendix A; (3) marked up version of the amended Claims attached as Appendix B; (3) a copy of the pending Claims, after entry of this Amendment, attached as Appendix C; and (4) a Request for Continued Examination.

AMENDMENT

IN THE CLAIMS

Please cancel Claims 17-29 without prejudice.

Please amend Claims 1-8, 12 and 16 to read as follows: